

APPLICATION OR APEAL#:

01-23

APPLICATION TO NEW FAIRFIELD ZONING BOARD OF APPEALS

Please check appropriate box(es) Variance Appeal of Cease & Desist

PROPOSAL
FEB 16 2023
ZONING BOARD OF APPEALS

1) Applicant: Keith Aragi
Mailing Address: 5 Big Buck Lane, Brookfield Ct
Phone#: 203-994-1300
Email: k2aragi@gmail.com

2) Premises located at: 7 Lamont Rd on the (N S E W) side of the street
at approx. 530 feet (N S E W) from Jericho (nearest intersecting road).

3) Property Owner Name: Jeanne m. Albano-Carmichael
Interest in Property: OWNER CONTRACT PURCHASER LEASEE AGENT

4) Tax Assessor Map No.: 36 Block No.: 10 Lot No.: 16

5) Zone in which property is located: R44 Area of Lot: 28950^{sq ft} 0.665 ac

6) Dimensions of Lot: Frontage: 140 Average Depth: 115-0

7) Do you have any Right of Ways or Easements on the property? NO

8) Is the property within 500 feet of Danbury, Sherman or New York State? yes

9) Have any previous applications been filed with ZBA on this property? yes

If so, give dates and application numbers: 08/22/07 approved- application #32-07

10) Proposal for which variance is requested: 2 car garage to be built on left side under house on existing approved footprint

Hardship: pre-existing non-conforming shallow lot with significant slope and steep topography

11) Date of Zoning Commission Denial: January 24th 2023

12) Variance(s) Requested: () USE (x) DIMENSIONAL
Zoning Regulations (sections): See attached Non-Compliance Letter

#1

Setbacks Requested: Front to: 40'-7.9" Rear to: 50'-54.5'
Side to: 20'-105' Side to: 20'-78'

13) Use to be made of property if variance is granted: Residential

14) If this Application relates to a Cease and Desist Order then this application must be made within 30 Days of the issue date of that Cease and Desist Order. CEASE & DESIST ORDER DATE: _____

SIGNATURE OF OWNER OR AGENT: [Signature] DATE: 1/4/2023

Received
1-4-2023

**TOWN OF NEW FAIRFIELD
ZONING REPORT**

SUBJECT: VERIFICATION OF NON-COMPLIANCE

FROM: Evan G. White, Zoning Enforcement Officer

DATE: January 24, 2023

PROPERTY OWNER: Jeanne M. Albano-Carmichael

PROPERTY ADDRESS: 7 Lamont Road

APPLICANT/AGENT: Jeanne M. Albano-Carmichael & Keith Argiti

MAILING ADDRESS: 7 Lamont Road

ZONING DISTRICT: R-44 **MAP:** 36 **BLOCK:** 10 **LOT:** 16

Please be advised that the applicant would like to (See Application for Description).

Review of the New Fairfield Zoning Regulations indicated that the above proposal fails to meet the following Zoning Requirements:

Sections:

3.2.5-Minimum Lot Area & Frontage (A+B)

3.2.6-Minimum Building & Structure Setbacks (A)

3.2.7-Maximum Building Area

3.2.8-Maximum Impervious Surfaces

3.2.11-Minimum Lot Dimensions


7.1.12-Improved Lots Not In a Validated or Approved Subdivision

7.2.3-Nonconforming Use of Building or Structure; Nonconforming Buildings or Structures (A+B+E)

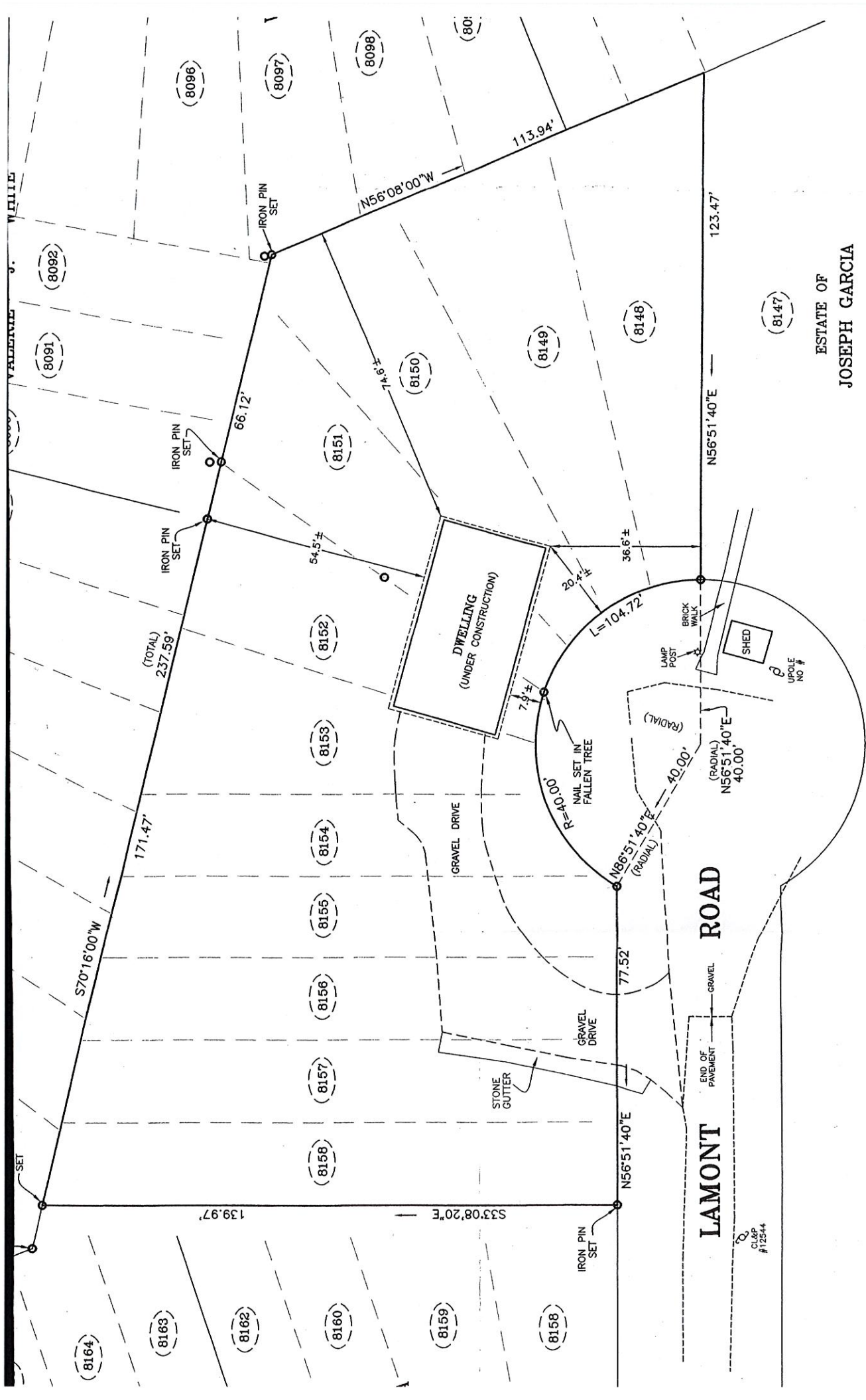
THE INFORMATION ON THIS REPORT IS TO GUIDE THE APPLICANT/PETITIONER AND THE ZONING BOARD OF APPEALS TO APPLY FOR VARIANCES AND/OR OTHER RELIEF, AND IS BASED ON REPRESENTATIONS MADE BY THE PROPERTY OWNER/APPLICANT.

THE OWNER/APPLICANT SHALL BE RESPONSIBLE FOR ANY DECISION MADE FROM RELIANCE ON THIS FORM AND IT SHALL NOT CREATE LIABILITY ON THE PART OF ANY OFFICER OR THE TOWN OF NEW FAIRFIELD.

IN COMPLEX MATTERS, THE OWNER/APPLICANT MAY WISH TO SECURE THE SERVICES OF AN ATTORNEY.


Evan White, Zoning Enforcement Officer
Town of New Fairfield





ESTATE OF
JOSEPH GARCIA

LAMONT ROAD

CL&P #12544

**New Fairfield Zoning Board of Appeals
4 Brush Hill Road
New Fairfield, Connecticut 06812**

VARIANCE

Pursuant to the requirement of the Connecticut General Statutes, the Zoning Board of Appeals of the Town of New Fairfield hereby gives notice that it has granted a Variance of the Zoning Regulations as more particularly set forth below:

RECORD OWNER OF PROPERTY: Jeanne Albano-Carmichael

PROPERTY LOCATED AT: 7 Lamont Road

ZONING DISTRICT: R-44; Map: 36; Block: 10; Lot: 16

VARIANCE DESCRIPTION: A front setback to 31.3', side setbacks to 17' and 17' and a rear setback to 45.3' to allow construction of a single-family house with garage underneath per the plans as submitted to the Zoning Board of Appeals on June 16, 2022.

ZONING SECTIONS VARIED: 3.2.5A&B, 3.2.6A, 3.2.6B, 3.2.6C, 3.2.7, 3.2.8, 3.2.11, 7.1.1.2 and 7.2.3A,B&E

I hereby certify that the Zoning Board of Appeals of the Town of New Fairfield approved this variance on June 16, 2022.

Application # 32-22

Dated: June 16, 2022

Joseph DePaul

Joseph DePaul, Chairman
Zoning Board of Appeals

grant a front setback to 20.5' and a rear setback to 40.0' to allow construction of a vertical expansion per the plans as submitted; the hardship being the narrow shape of the lot, duly 2nd, approved 5-0. Variance granted.

Application # 30-22: Genovese, 14 Sunset Trail Road, for variances to Zoning Regulations 3.2.5A&B, 3.2.6C Rear Setback to 38.7', 3.2.11, 7.1.1.2 and 7.2.3A&B for the purpose of constructing a 12'x54' deck. Zoning District: R-44; Map: 15; Block: 6; Lot: 35 & 36.

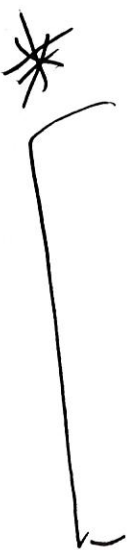
Frank Genovese and Jodi Hook presented their proposal for a 12'x54' rear deck addition to connect two existing decks (one ground level and one 30' off the ground) on the sides of the house. The board noted that there is no hardship, and the applicant already has two decks with views. Mr. Genovese stated that a deck could not have previously been constructed due to the placement of an older septic, but now a new septic was being installed. Joe DePaul stated that the reason a deck was not put in the rear location was that it violated the 50' rear setback. John Apple stated that the application was creating nonconformity on a conforming house. It was determined that one of the side decks could be increased by 5' without needing a variance. Joe DePaul asked the public for comment. None given. Joe DePaul noted the lack of hardship and suggested the applicant withdraw the proposal. The applicant agreed to withdraw the proposal.

Application # 31-22: Dawes, 4 Sherry Lane, for variances to Zoning Regulations 3.2.5A&B, 3.2.6C Rear Setback to 32', 3.2.11, 7.1.1.2 and 7.2.3A&B for the purpose of constructing a deck. Zoning District: R-44; Map: 24; Block: 1; Lot: 95.

Applicant Cleon Dawes presented his application to replace and enlarge an existing 10'x12' deck due to safety concerns with a 10'x24' bi-level deck. The proposal would not increase nonconformity and stay within the footprint. The board saw no issues with the application. Joe DePaul asked the public for comment. None given. The board entered into the Business Session. Joe DePaul made a motion to grant a rear setback to 32' to allow construction of a deck per the plans as submitted, noting no increase in nonconformity; the hardship being the size and shape of the lot, duly 2nd, approved 5-0. Variance granted.

Application # 32-22: Albano-Carmichael, 7 Lamont Road, for variances to Zoning Regulations 3.2.5A&B, 3.2.6A Front Setback to 30.5', 3.2.6B Side Setbacks to 15.2' and 17', 3.2.6C Rear Setback to 44', 3.2.7, 3.2.8, 3.2.11, 7.1.1.2 and 7.2.3A,B&E for the purpose of constructing a two-car garage. Zoning District: R-44; Map: 36; Block: 10; Lot: 16.

Jeanne Albano Carmichael presented the proposal to add a two-car garage under the left side of the house. The property has two previously approved variances, one in 2007 and another in 2016. The applicant is in the process of combining the adjacent lot which will eventually eliminate one of the side setbacks. A lengthy discussion ensued



over what setbacks were granted in the previous variances. The board questioned why the applicant wouldn't wait until the lots were combined to proceed. The applicant stated that the house is staying in the same location and just needs approval for the garage change addition. Joe DePaul noted that it is the applicant's responsibility to provide previous variances and minutes so the board can see what was voted on. Evan White found the 2016 variance with a front setback to 30.5', side setbacks to 17' and 17' and a rear setback to 44'. The new proposal would require a front setback to 31.3' and a rear setback to 45.3' which would decrease nonconformity. Joe DePaul asked the public for comment. None given. The board entered into the Business Session. Joe DePaul made a motion to grant a front setback to 31.3', side setbacks to 17' and 17' and a rear setback to 45.3' to allow construction of a single-family house with a garage underneath, per the plans as submitted; the hardship being the shape of the lot, duly 2nd, approved 5-0. Variance granted.

John McCartney made a motion to adjourn the meeting at 9:57 p.m., duly 2nd, approved 5-0.

Received by email on 06/20/2022 @ 8:30 a.m.
by Chrystie M. Bontempo, Asst. Town Clerk, New Fairfield

New Fairfield Zoning Board of Appeals
4 Brush Hill Road
New Fairfield, Connecticut 06812

VARIANCE

Pursuant to the requirement of the Connecticut General Statutes, the Zoning Board of Appeals of the Town of New Fairfield hereby gives notice that it has granted a Variance of the Zoning Regulations as more particularly set forth below:

RECORD OWNER OF PROPERTY: Gerard Taylor

PROPERTY LOCATED AT: 7 Lamont Road, New Fairfield CT 06812

ZONING DISTRICT: R-44; Map: 36; Block: 10, Lot: 16

VARIANCE DESCRIPTION: A front setback to 27' and a side setback to 15' for the purpose of constructing a 2 bedroom raised ranch new home with a 23' x 40' footprint subject to the plans submitted to the Zoning Board of Appeals on 08/16/2007 noting the setbacks are to the overhangs of the home.

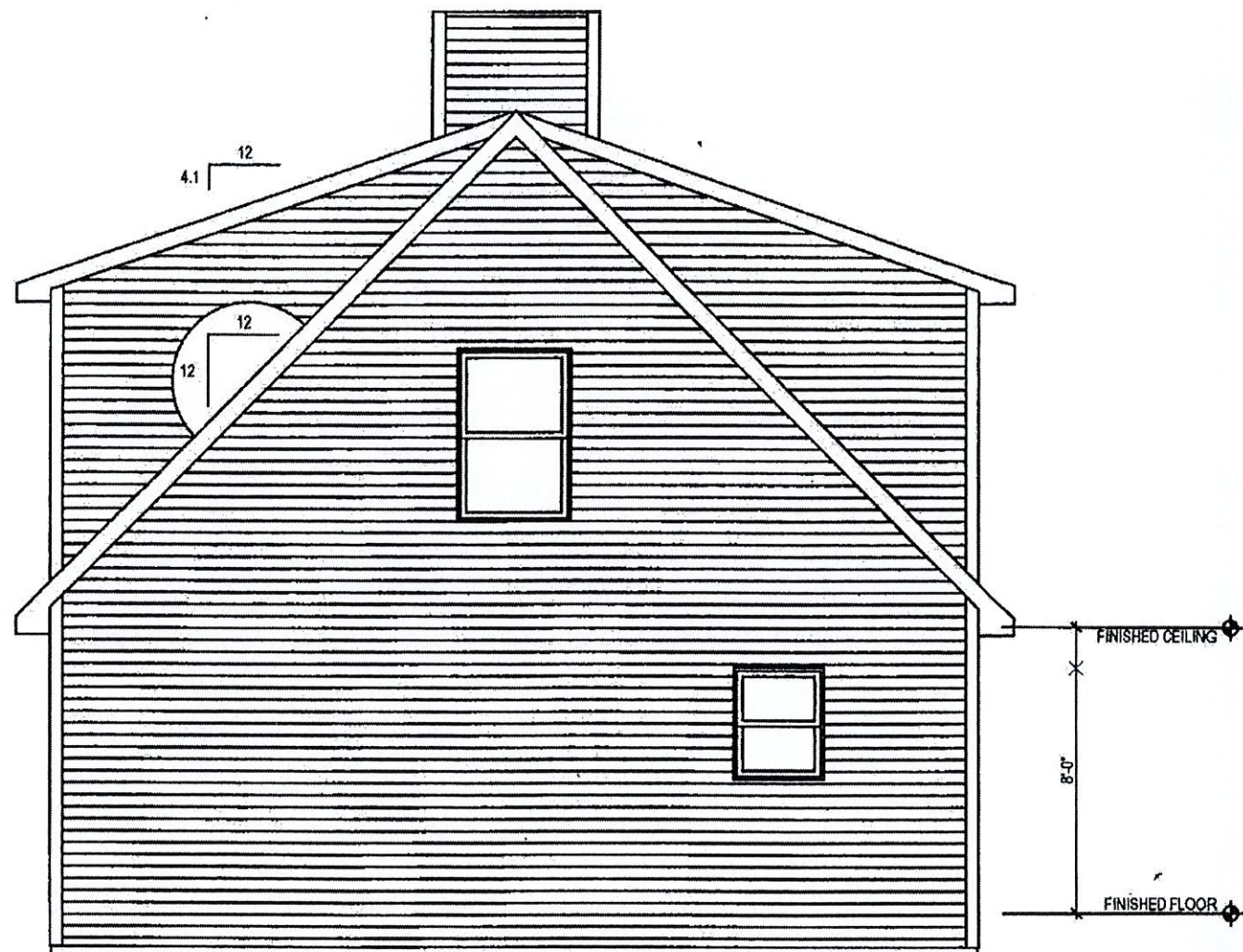
ZONING SECTIONS VARIED: 3.2.4a Front setback; 3.2.4b Side setback; 2.4.3 a&b Nonconforming use of building or structure, Nonconforming buildings or structure; 3.2.3 a&b Minimum lot area; Minimum lot frontage;

I hereby certify that the Zoning Board of Appeals of the Town of New Fairfield approved this variance on: 08/16/2007

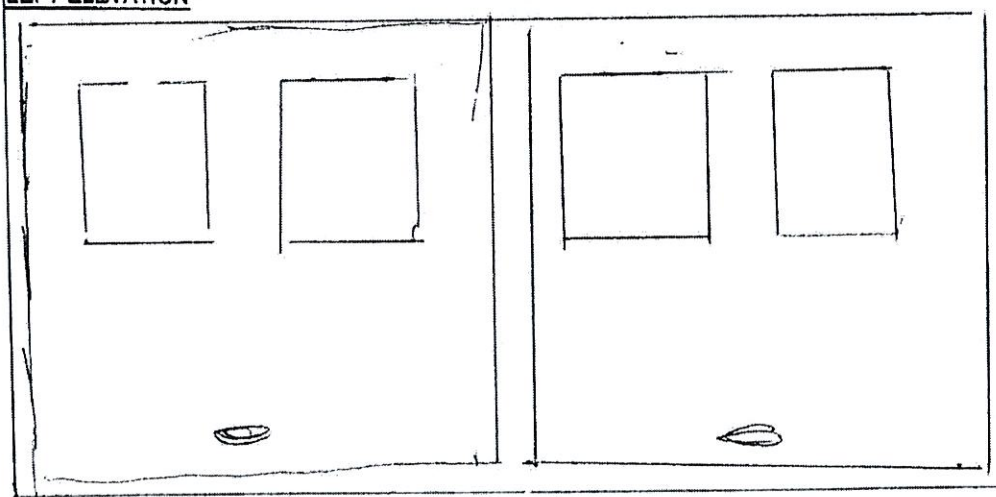
Application # 32-07

Dated: August 22, 2007


Croix Sather, Vice Chairman
Zoning Board of Appeals

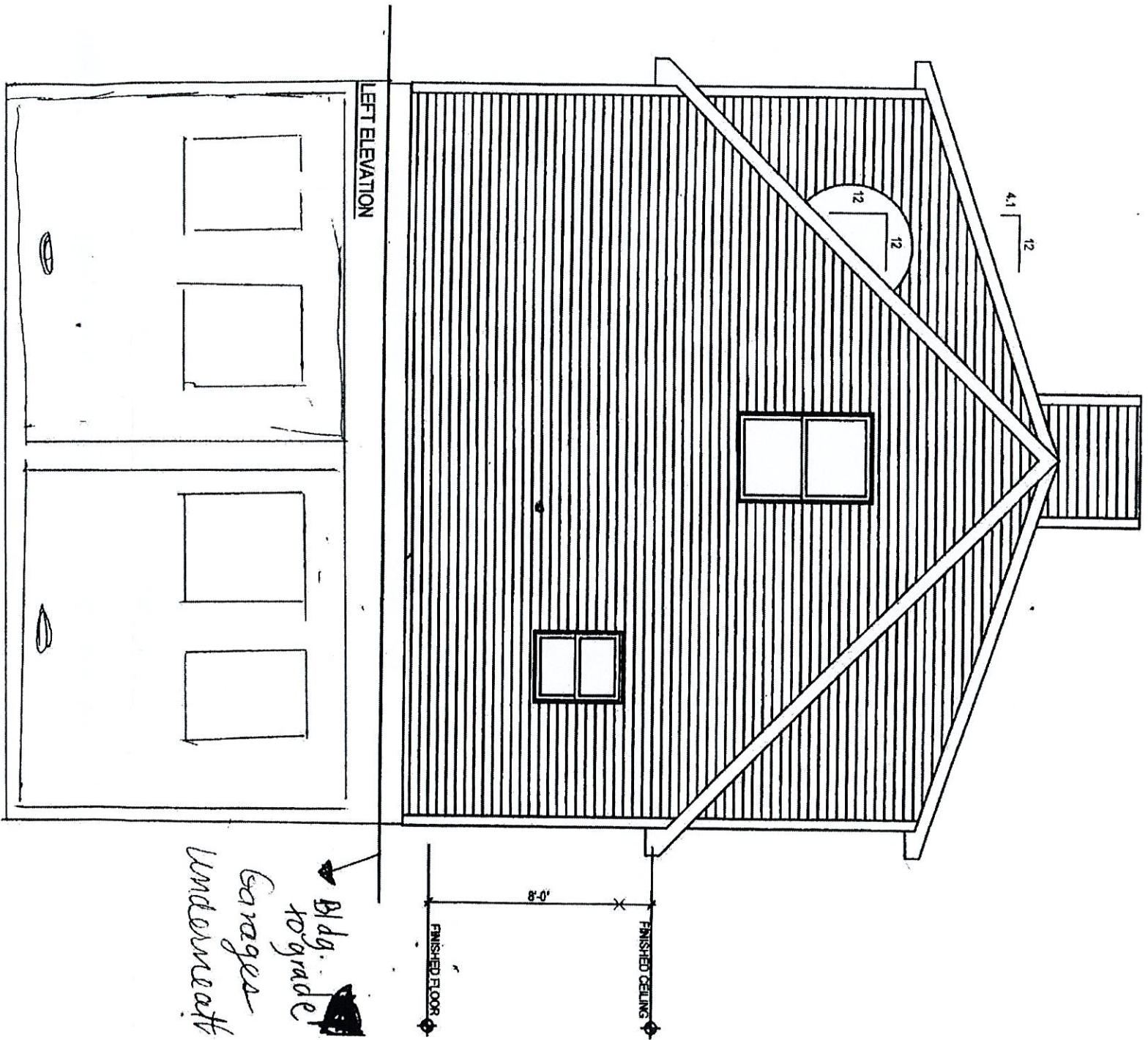


LEFT ELEVATION



Bldg. to grade
Garages underneath

2 proposed garage doors
9' (wide) by standard width
garages



Proposed garage doors
 9' wide by standard width
 of garage

Bldg. to grade
 Garage underneath

